

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**SAMUEL G. BREITLING AND
JO ANN BREITLING,**

Plaintiffs,

vs.

LVN CORPORATION, ET AL.,

Defendants.

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NO. 3:15-CV-00703

PLAINTIFF'S MOTION TO WITHDRAW MOTION TO REMAND

Plaintiffs incorporate herein all their pleadings in the following related cases:

1. LVN Corporation v. Breitlings et al, Civil Cause DC-14-04053 in the Dallas County District Court in the 134th Judicial District, filed on April 15, 2014
2. Breitlings v. LVN Corporation et al, Civil Cause DC-14-09604 in the Dallas County District Court in the 101st Judicial District, filed on August 29
3. Breitling et al. v. LVN Corporation et al., Civil Action No. 3:14-cv-3322-M (first removal by Beal entities)
4. LVN Corporation v. Breitlings et al, Civil Cause No. 05-15-0677-CV in the Court of Appeals for the Fifth District of Texas at Dallas, filed on or around May 27, 2015
5. LVN Corporation v. Breitlings et al, Civil Cause No. JD15-00071C in the Justice of the Peace Court Number 2 in Garland Texas, Judge Gerry Cooper
6. LVN Corporation v. Breitlings et al, Civil Cause No. CC-15-00911-C in the County Courts at Law Number 3 in Dallas County, Judge Sally Montgomery

Plaintiffs herein remind Honorable Judge Jane Boyle that she took the following oath of office pursuant to 28 U.S.C. § 453:

"I, Jane Boyle, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me

as a United States District Judge under the Constitution and laws of the United States. So help me God.”

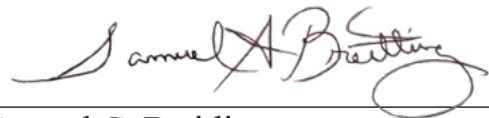
Plaintiffs, JoAnn and Samuel Breitling, respectively move the court as follows:

Plaintiffs withdraw their motion to remand. They have constitutional questions and seek the jurisdiction of the federal court which has original jurisdiction over constitutional questions.

Respectfully Submitted,

A handwritten signature in cursive script, reading "JoAnn Breitling".

JoAnn S Breitling

A handwritten signature in cursive script, reading "Samuel G. Breitling".

Samuel G. Breitling

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon all counsel of record and pro-se parties via the Court's CM/ECF system, email, and/or regular mail, and/or certified mail with return receipt requested; and that a correct copy of the foregoing document was served upon The United States Attorney General and the Texas Attorney General at the addresses below:

Attorney General of Texas,
Ken Paxton
P.O. Box 12548
Austin, Texas 78711

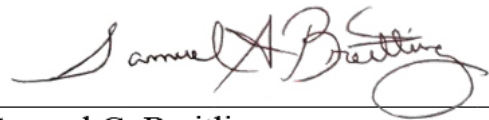
Marc Cabera, Jason Sanders,
Robert Mowery
Locke Lord LLP
2200 Ross Ave, # 2200
Dallas, TX 75201

Macdonald Devin, PC
Codilis & Stawiarski
3800 Renaissance Tower
1201 Elm Street
Dallas, TX 75270

U. S. Department of Justice,
Loretta Lynch,
U. S. Attorney General
950 Pennsylvania Ave NW
Washington, DC 20530



JoAnn S Breitling



Samuel G. Breitling

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NO. 3:15-CV-00703

**ORDER GRANTING PLAINTIFFS' MOTION TO DISMISS WITHOUT PREJUDICE
DEFENDANTS MGC MORTGAGE INC., CODILIS & STAWIARSKI PC AND
DOVENMUHLE MORTGAGE INC.**

Having considered Plaintiffs' Motion to withdraw their earlier motion to remand the Court finds that the Motion should be, and hereby is, GRANTED. It is therefore:

ORDERED, ADJUDICATED, AND DECREED that the Motion is GRANTED.

Signed this _____ day of _____ 2015.

United States District Judge Jane Boyle